

REMARKS

Claims 1-2, 4-6 and 8-13 are all the claims presently pending in the application.

Claim 1 has been amended to more particularly define the invention.

It is noted that the claim amendments herein or later are not made to distinguish the invention over the prior art or narrow the claims or for any statutory requirements of patentability. Further, Applicants specifically state that no amendment to any claim herein or later should be construed as a disclaimer of any interest in or right to an equivalent of any element or feature of the amended claim.

Claims 1-2, 5 and 11-13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Pawl (U.S. Patent No. 4,969,793). Claim 4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pawl in view of Colburn (U.S. Patent No. 3,752,331). Claim 6 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pawl in view of Carlsson, et al. (U.S. Publication No. 2002/0070574) (hereinafter "Carlsson"). Claims 8-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pawl in view of Smillie, III et al. (U.S. Patent No. 5,054,578) (hereinafter "Smillie"). Claim 10 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Pawl in view of Mitchell (U.S. Patent No. 2,249,845).

These rejections are respectfully traversed in the following discussion.

I. THE CLAIMED INVENTION

An exemplary aspect of the invention, as recited in claim 1, is directed to a luggage storage structure for a vehicle with a concaved storage portion formed to protrude downward in a floor panel and a plate member provided to cover an upper portion of the concaved

storage portion, including a transfer mechanism for transferring the plate member up and down relative to the floor panel, a pair of rail frames fixed on the floor panel on opposite sides of the concaved storage portion and parallel to each other, a pair of drive links, a first end of each drive link being connected with one of the rail frames so as to transfer in a longitudinal direction of the rail frame, a second end of each drive link being connected with the plate member, the drive links being horizontal when the plate member closes the concaved storage portion, and the drive links being raised when the plate member is transferred upward, a pair of driven links, a first end of each driven link being connected with the plate member, a second end of each driven link being connected with the floor panel, each driven link being connected at a middle point of one of the drive links so as to rotate, the driven links being horizontal when the plate member closes the concaved storage portion and the driven links being raised when the plate member is transferred upward, a plurality of sliders that are capable of sliding in the longitudinal direction of the rail frame, the sliders engaging with the first ends of the drive links through a pair of connecting links, and a driving mechanism provided to slide each slider in the longitudinal direction of the rail frame.

Each drive link and each driven link shift between an approximately horizontal state and a raised state by transferring the first end of each drive link along the rail frame. Each drive link includes a contacting portion provided between the middle point of the drive link and the first end of the drive link. Each of the sliders includes a contacting surface formed thereon to be brought into contact with the contacting portion. The contacting surface slopes in a direction in which the slider slides when the drive link shifts from the approximately horizontal state to the raised state. Each of the sliders is provided with a transfer guide groove in the longitudinal direction of the rail frame. A rotary connecting portion including

one of the pair of connecting links which on one end is connected to the first end of the drive link so as to rotate, and on the other end is connected to a slide pin for transferring within the transfer guide groove.

Conventional lifters simply transfer a plate member in an up and down direction. As such, these lifters cannot be disposed in an area where the vertical stroke of the plate member can be obstructed. Due to this, such conventional lifters are not appropriate for spaces that are sloped in an upper area, such as a loft of a house or a trunk of an automobile. Therefore, since the transfer direction of the plate member in conventional lifters is limited to just upwardly and downwardly, such lifters are quite inconvenient for practical uses. (See Application at page 3, lines 7-26 and page 4, lines 1-5)

The claimed invention, on the other hand, provides a luggage storage structure including on each drive link a contacting portion between the middle point of the drive link and the first end of the drive link, and each of the sliders includes a contacting surface formed thereon to be brought into contact with the contacting portion. These features, amongst others, enable the plate member to transfer in a longitudinal direction in the forward and rearward directions of the rail frame, while transferring up and down. (See Application at page 35, lines 5-7)

II. THE PRIOR ART REFERENCES

A. The Pawl Reference

The Examiner alleges that the invention of claims 1-2, 5 and 11-13 are anticipated by Pawl. However, Applicants respectfully submit that the reference does not teach or suggest each and every element of the claimed invention.

Pawl discloses a power-operated lift, adapted to be mounted in a vehicle trunk, having linkage means for raising a load-supporting platform in a vertical direction. (See Pawl at Abstract)

However, Pawl does not teach or suggest “*a plurality of sliders capable of sliding in the longitudinal direction of [the] rail frame, [the] sliders engaging with [the] first ends of [the] drive links through a pair of connecting links, [and] each of [the] sliders includes a contacting surface formed thereon to be brought into contact with [the] contacting portion,*” as recited in the claimed invention. (Emphasis added).

The sliders (e.g., as exemplified by reference numerals 12, 23, 24; it is noted that all reference numerals used herein are for the Examiner’s convenience and not for limiting the claims in any way) in the present invention, as shown in amended claim 1, are capable of sliding in the longitudinal direction of the rail frame (7), the sliders (12, 23) engaging with the first ends of the drive links through a pair of connecting links (17).

On the contrary, although the Examiner alleges that “Pawl’s sliders 24 are capable of transferring via a slide pin 92, which moves in the longitudinal direction,” it is clearly shown in column 3, lines 58-66, that the elements 24 in Pawl are attached to floor 12 by the fastener means 30. Therefore, Pawl’s sliders 24 are absolutely different from and clearly fail to teach or suggest the slider of the invention, which is capable of sliding in the longitudinal direction.

Furthermore, the position of each contacting portion (20) on the drive link (8) is also different from the device disclosed in Pawl.

Therefore, Applicants submit that there are elements of the invention of the claimed invention that are not taught or suggested by Pawl. Therefore, the Examiner is respectfully requested to withdraw this rejection.

B. The Colburn Reference

The Examiner alleges that Pawl would have been combined with Colburn to form the invention defined in claim 4. However, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every element of the claimed invention.

That is, neither Pawl nor Colburn teaches or suggests “*a plurality of sliders capable of sliding in the longitudinal direction of [the] rail frame, [the] sliders engaging with [the] first ends of [the] drive links through a pair of connecting links, [and] each of [the] sliders includes a contacting surface formed thereon to be brought into contact with [the] contacting portion,*” as recited in the claimed invention. (Emphasis added).

Indeed, as detailed in section A, above, Pawl does not teach or suggest this feature. Furthermore, Applicants submit that Colburn fails to make up the deficiencies of Pawl.

That is, nowhere does Colburn teach or suggest a plurality of sliders capable of sliding in the longitudinal direction of the rail frame, the sliders engaging with the first ends of the drive links through a pair of connection links and each of the sliders including a contacting surface formed thereon to be brought into contact with the contacting portion. Indeed, the Examiner does not even allege that Colburn teaches or suggests this feature of the claimed invention. The Examiner merely alleges that Colburn teaches using two motors for raising a plate.

Thus, Colburn fails to make up the deficiencies of Pawl.

Therefore, Applicants submit that, even if combined, the Examiner’s alleged combination of references would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

C. The Carlsson et al. Reference

The Examiner alleges that Pawl would have been combined with Carlsson et al. to form the invention defined in claim 6. However, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every element of the claimed invention.

That is, neither Pawl nor Carlsson et al. teaches or suggests “*a plurality of sliders capable of sliding in the longitudinal direction of [the] rail frame, [the] sliders engaging with [the] first ends of [the] drive links through a pair of connecting links, [and] each of [the] sliders includes a contacting surface formed thereon to be brought into contact with [the] contacting portion,*” as recited in the claimed invention. (Emphasis added).

Indeed, as detailed in section A, above, Pawl does not teach or suggest this feature. Furthermore, Applicants submit that Carlsson et al. fails to make up the deficiencies of Pawl.

That is, nowhere does Carlsson et al. teach or suggest a plurality of sliders capable of sliding in the longitudinal direction of the rail frame, the sliders engaging with the first ends of the drive links through a pair of connection links and each of the sliders including a contacting surface formed thereon to be brought into contact with the contacting portion. Indeed, the Examiner does not even allege that Carlsson et al. teaches or suggests this feature of the claimed invention. The Examiner merely alleges that Carlsson et al. teaches a lock portion and a locking mechanism.

Thus, Carlsson et al. fails to make up the deficiencies of Pawl.

Therefore, Applicants submit that, even if combined, the Examiner’s alleged combination of references would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this

rejection.

D. The Smillie III et al. Reference

The Examiner alleges that Pawl would have been combined with Smillie III et al. to form the invention defined in claims 8 and 9. However, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every element of the claimed invention.

That is, neither Pawl nor Smillie III et al. teaches or suggests “*a plurality of sliders capable of sliding in the longitudinal direction of [the] rail frame, [the] sliders engaging with [the] first ends of [the] drive links through a pair of connecting links, [and] each of [the] sliders includes a contacting surface formed thereon to be brought into contact with [the] contacting portion,*” as recited in the claimed invention. (Emphasis added).

Indeed, as detailed in section A, above, Pawl does not teach or suggest this feature. Furthermore, Applicants submit that Smillie III et al. fails to make up the deficiencies of Pawl.

That is, nowhere does Smillie III et al. teach or suggest a plurality of sliders capable of sliding in the longitudinal direction of the rail frame, the sliders engaging with the first ends of the drive links through a pair of connection links and each of the sliders including a contacting surface formed thereon to be brought into contact with the contacting portion.

Indeed, the Examiner does not even allege that Smillie III et al. teaches or suggests this feature of the claimed invention. The Examiner merely alleges that Smillie III et al. teaches a main rail for a slider.

Thus, Smillie III et al. fails to make up the deficiencies of Pawl.

Therefore, Applicants submit that, even if combined, the Examiner’s alleged

combination of references would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

E. The Mitchell Reference

The Examiner alleges that Pawl would have been combined with Mitchell to form the invention defined in claim 10. However, Applicants submit that, even if combined, the alleged combination of references would not teach or suggest each and every element of the claimed invention.

That is, neither Pawl nor Mitchell teaches or suggests “*a plurality of sliders capable of sliding in the longitudinal direction of [the] rail frame, [the] sliders engaging with [the] first ends of [the] drive links through a pair of connecting links, [and] each of [the] sliders includes a contacting surface formed thereon to be brought into contact with [the] contacting portion,*” as recited in the claimed invention. (Emphasis added).

Indeed, as detailed in section A, above, Pawl does not teach or suggest this feature. Furthermore, Applicants submit that Mitchell fails to make up the deficiencies of Pawl.

That is, nowhere does Mitchell teach or suggest a plurality of sliders capable of sliding in the longitudinal direction of the rail frame, the sliders engaging with the first ends of the drive links through a pair of connection links and each of the sliders including a contacting surface formed thereon to be brought into contact with the contacting portion.

Indeed, the Examiner does not even allege that Mitchell teaches or suggests this feature of the claimed invention. The Examiner merely alleges that Mitchell teaches a leg set and a folding chair.

Thus, Mitchell fails to make up the deficiencies of Pawl.

Therefore, Applicants submit that, even if combined, the Examiner's alleged combination of references would not teach or suggest each and every feature of the claimed invention. Therefore, the Examiner is respectfully requested to reconsider and withdraw this rejection.

III. FORMAL MATTERS AND CONCLUSION

In view of the foregoing, Applicants submit that claims 1-2, 4-6 and 8-13, all the claims presently pending in the application, are patentably distinct over the prior art of record and are allowable, and that the application is in condition for allowance. Such action would be appreciated.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned attorney at the local telephone number listed below to discuss any other changes deemed necessary for allowance in a telephonic or personal interview.

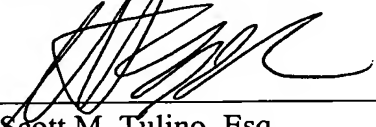
Serial No. 10/776,187
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The Commissioner is authorized to charge any deficiency in fees, including extension of time fees, or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

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